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7 *Attorneys for Defendants Romeo Aranas,*
Debra Boone-Sharp, Gloria Carpenter, John Fischer,
8 *William Gittere, Angela Gregersen, Dawn Jones,*
Curtis Kerner, Michael Koehn, Keli Lyons, Mardelle Petersen,
9 *Terry Riley, Ned Schuering, Harlene Stark,*
Teresa Stark and Marc Sweeten

10
11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 RONALD R. SANTOS,

14 Plaintiff,

15 v.

16 ROMEO ARANAS, *et al.*,

17 Defendants.

Case No. 3:16-cv-00394-MMD-VPC

**MOTION FOR ENLARGEMENT OF TIME
TO FILE SETTLEMENT DOCUMENTS**

18 Defendants Romeo Aranas, Debra Boone-Sharp, Gloria Carpenter, John Fischer, William
19 Gittere, Angela Gregersen, Dawn Jones, Curtis Kerner, Michael Koehn, Keli Lyons, Mardelle Petersen,
20 Terry Riley, Ned Schuering, Harlene Stark, Teresa Stark and Marc Sweeten, by and through counsel
21 Adam Paul Laxalt, Attorney General, and Erin L. Albright, Deputy Attorney General, of the State of
22 Nevada, Office of the Attorney General, and Plaintiff, Ronald R. Santos, by and through counsel Victor
23 Drakulich, Esq., hereby move this Court for an enlargement of time to file the settlement documents.
24 This motion is based on the following Memorandum of Points and Authorities and all papers and
25 pleadings on file herein.

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MEMORANDUM OF POINTS AND AUTHORITIES

I. RELEVANT FACTUAL BACKGROUND

On January 10, 2018, the parties attended a Settlement Conference where they reached a settlement. (ECF No. 41). The settlement documents were to be filed by February 20, 2018. Counsel for the parties met on February 22, 2018 to review the concerns Plaintiff had regarding the documents. Plaintiff's counsel is scheduled to meet with Plaintiff the week of February 20, 2018 to execute the settlement documents. To date, the parties have not executed the necessary settlement documents.

II. DISCUSSION

FED. R. CIV. P. 6(b)(1) governs enlargements of time and provides as follows:

When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect.

The proper procedure, when additional time for any purpose is needed, is to present a request for extension of time before the time fixed has expired. *See Canup v. Mississippi Val. Barge Line Co.*, 31 F.R.D. 282 (W.D.Pa. 1962). Extensions of time may always be asked for, and usually are granted on a showing of good cause if timely made under subdivision (b)(1) of the Rule. *See Creedon v. Taubman*, 8 F.R.D. 268 (N.D. Ohio 1947).

The time to file settlement documents in this matter has not expired. This extension is not made for the purposes of delay or to prejudice Plaintiff. Defendants seek an enlargement to time to file the settlement documents in this matter because Plaintiff's counsel is scheduled to meet with Plaintiff to review and execute the documents after the date on which the documents are scheduled to be filed with this Court.

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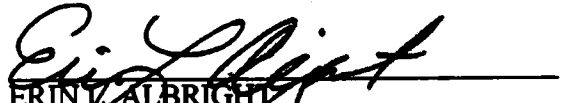
1 **III. CONCLUSION**

2 Since good cause exists to extend the deadline to file the settlement documents, Defendants
3 respectfully request this Court grant Defendants until March 13, 2018 to file the settlement documents
4 with this Court.

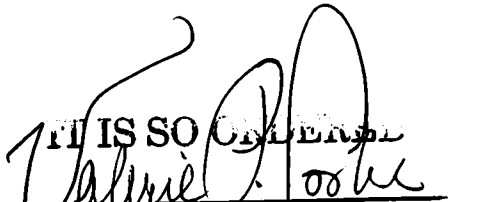
5 DATED this 20th day of February, 2018.

6 ADAM PAUL LAXALT
7 Attorney General

8 By:


9 ERIN L. ALBRIGHT
10 Deputy Attorney General
11 State of Nevada
12 Bureau of Litigation
13 Public Safety Division

Attorneys for Defendant

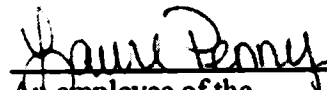
14
15 
16 U.S. MAGISTRATE JUDGE
17 DATED: *February 22, 2018*
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CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 20th day of February, 2018, I caused a copy of the foregoing, **MOTIN FOR ENLARGEMENT OF TIME TO FILE SETTLEMENT DOCUMENTS**, to be served, by U.S. District Court CM/ECF Electronic Filing on the following:

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An employee of the
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